

January 9, 1997

**READJUSTMENT COUNSELING SERVICE (RCS) VET CENTERS:
EXTENSION OF ELIGIBILITY**

1. **PURPOSE:** The purpose of this Veterans Health Administration (VHA) Directive is to provide guidance to all VHA health care facilities regarding expanded eligibility for Vet Center services, as authorized by Public Law 104-262, The Veterans Health Care Eligibility Reform Act of 1996, enacted October 9, 1996.

2. **POLICY**

a. As specified in Title 38 U.S.C., Section 1712A, VA provides readjustment counseling to any eligible veteran requesting services for psychological and/or social problems arising from their military service if the problems impair the veteran's post-war readjustment to civilian life. Public Law 104-262 amended 38 U.S.C. Section 1712A to expand eligibility for readjustment counseling at Vet Centers to any veteran who served in the active military in a theater of combat operations during a period of war, or in any other area during a period in which hostilities occurred in such area. The law specifies that the term "hostilities" means any armed conflict in which the members of the Armed Forces are subjected to danger comparable to a period of war, as determined by the Secretary in consultation with the Secretary of Defense. Under the amended law, veterans who served during the Vietnam era, but not in a theater of combat operations, will continue to be eligible for readjustment counseling if they seek or are furnished such counseling before January 1, 2000.

b. Title 38 U.S.C., Section 101, Paragraph (29) as amended by Public Law 104-275, defines the term Vietnam era as the period beginning on February 28, 1961, and ending on May 7, 1975, for veterans who served in the Republic of Vietnam during that period, and the period beginning on August 5, 1964, and ending on May 7, 1975, in all other cases.

3. **ACTION:** Effective October 9, 1996, the date of enactment of the Public Law 104-262, RCS Vet Centers and other VHA health care facilities shall ensure provision of readjustment counseling to all eligible veterans in compliance with the new law. Those eligible include:

a. Any veteran who served in a theater of combat operations during World War II and is eligible for one or more of the following three campaign medals:

(1) The European-African-Middle Eastern Campaign Medal: awarded for theater military service to include combat operations, during the period December 7, 1941, through November 8, 1945.

(2) The Asiatic-Pacific Campaign Medal: awarded for theater military service to include combat operations, during the period December 7, 1941, through March 2, 1946.

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(3) The American Campaign Medal: awarded for theater military service to include combat operations, during the period of December 7, 1941, through March 2, 1946.

b. Any veteran who served in the theater of combat operations in Korea during the Korean War, and is eligible for the Korean service Medal: awarded for theater military service to include combat operations during the period June 27, 1950, through July 27, 1954.

c. Any veteran who served in the theater of combat operations in Vietnam during the Vietnam era (February 28, 1961, through May 7, 1975).

d. Any veteran who served on active duty during the Vietnam era, but not in a theater of combat operations in Vietnam (August 5, 1964, through May, 1975).

e. Any veteran who served in the Lebanon theater of operations (August 25, 1982, through February 26, 1984).

f. Any veteran who served in the Grenada theater of operations (October 23, 1983, through November 21, 1983).

g. Any veteran who served in the Panama theater of operations (December 20, 1989, through January 31, 1990).

h. Any veteran who served in the Persian Gulf War (August 2, 1990, and ending by Presidential proclamation or law).

i. Any veteran who served in the Somalia theater of operations (September 17, 1992, and ending by Presidential proclamation or law).

Requests for readjustment counseling that do not meet the eligibility requirements specified in this Directive will not be formally denied at this time, but will be deferred pending publication of regulations that formally establish the new eligibility requirements contained in this Directive.

4. REFERENCES

a. Title 38 U.S.C., Section 1712A as amended by Public Law 104-262.

b. Title 38 U.S.C., Section 101, Paragraph (29) as amended by Public Law 104-275.

c. VHA Manual M-12, Parts 1 and 2.

5. FOLLOW-UP RESPONSIBILITY: The Director, Readjustment Counseling Service (15), is responsible for the contents of this Directive.

6. RESCISSIONS: This VHA Directive will expire on January 9, 2001.

S/Mike Hughes for

Kenneth W. Kizer, M.D., M.P.H.
Under Secretary for Health

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